

The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below. This document has been entered electronically in the record of the United States Bankruptcy Court for the Northern District of Ohio.



Dated: October 12 2007

A blue ink signature of Mary Ann Whipple, written in a cursive style.

Mary Ann Whipple
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

In Re:)	Case No. 04-70774
)	
Judith F. Richendollar,)	Chapter 7
)	
Debtor.)	
)	JUDGE MARY ANN WHIPPLE

ORDER REGARDING OBJECTION TO CLAIM

This case is before the court on the Chapter 7 Trustee's objection to a proof of claim [Doc. # 95] filed by attorney Robert E. Wilson (Claim # 7), which was later amended to reflect the correct name of the creditor, Wilson & Kochheiser Co., L.P.A. (Claim #8). The proof of claim in the amount of \$32,379.67 includes attorney fees for services rendered by Wilson and costs advanced by him in the amount of \$713 in connection with the personal injury claim that became property of the bankruptcy estate. In a Memorandum of Decision [Doc. # 100] entered on March 31, 2007, the court found that the value of the claim is measured by 38.1 hours expended by Wilson on the personal injury claim prior to the date of conversion to Chapter 7; however, the court lacked evidence from which the proper hourly rate to be applied could be determined. After further hearing on the Trustee's objection, the court ordered the claimant to submit an affidavit as to the appropriate hourly rate and granted the Trustee time to respond. Wilson has submitted the requested affidavit [Doc. # 110] stating his hourly rate is \$200, and the Trustee does not object to the rate charged [*see* Doc. # 111]. Finding Wilson's hourly rate to be reasonable, the court concludes that the claim of Wilson & Kochheiser Co., L.P.A., is allowed in the amount of \$8,333 ((38.1 hours x \$200) +

\$713).

THEREFORE, for the foregoing reasons and those set forth in the court's Memorandum of Decision entered on March 31, 2007,

IT IS ORDERED that the Trustee's Objection to Claim # 7 (as amended by Claim # 8) be, and hereby is, **GRANTED in part** and **DENIED in part**; and

IT IS FURTHER ORDERED that the claim of Wilson & Kochheiser Co., L.P.A., (Claim # 8) is allowed in the amount of \$8,333.